

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RICHARD D. HOFER,

Plaintiff,

Case No. 17-12526

Honorable Victoria A. Roberts

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

_____ /

ORDER: (1) OVERRULING PLAINTIFF'S OBJECTIONS [ECF No. 17];
(2) ADOPTING REPORT AND RECOMMENDATION [ECF No. 16];
(3) DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT [ECF No. 13]; and
(4) GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT [ECF No. 15]

On August 15, 2018, Magistrate Judge Stephanie Dawkins Davis issued a Report and Recommendation ("R&R") recommending that the Court DENY Plaintiff's Motion for Summary Judgment and GRANT Defendant's Motion for Summary Judgment. Plaintiff objects to the R&R.

When a party properly objects to portions of a magistrate judge's report and recommendation, the Court reviews such portions *de novo*. Fed. R. Civ. P. 72(b). However, only specific objections that pinpoint a source of error in the report are entitled to *de novo* review. *Mira v. Marshall*, 806 F.2d 636, 637 (6th Cir. 1986). General objections – or those that do nothing more than disagree with a magistrate judge's determination, without explaining the source of the error – have "the same effects as would a failure to object." *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505, 509 (6th Cir. 1991). That is, such objections are not valid, and the Court may treat them

as if they were waived. See *Bellmore-Byrne v. Comm’r of Soc. Sec.*, No. 15-11950, 2016 WL 5219541, at *1 (E.D. Mich. Sept. 22, 2016) (citing *id.*). Similarly invalid are objections “that merely reiterate[] arguments previously presented, [without] identify[ing] alleged errors on the part of the magistrate judge.” See *id.*

Plaintiff fails to properly object to the R&R. Rather than asserting specific objections, Plaintiff primarily reiterates arguments made previously, without identifying any error made by Magistrate Judge Davis. In the few places where he does not merely reiterate arguments previously presented, Plaintiff does nothing more than disagree with Magistrate Judge Davis’ determination, without explaining the source of any error. Plaintiff’s non-specific objections are invalid. See *id.*

Nevertheless, after a *de novo* review of the R&R, the Court agrees with Magistrate Judge Davis’ findings and conclusions. She accurately laid out the facts; she considered the record as a whole; and her conclusions are well reasoned and well supported.

The Court **OVERRULES** Plaintiff’s objections and **ADOPTS** Magistrate Judge Davis’ R&R.

Defendant’s Motion for Summary Judgment is **GRANTED**; Plaintiffs Motion for Summary Judgment is **DENIED**.

Judgment will enter in favor of Defendant.

IT IS ORDERED.

S/ Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: September 24, 2018